

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Black Hills Workshop and Training Center
Accountability Review - Monitoring Report 2011-2012**

Team Members: Donna Huber, Team Leader; Chris Sargent and Dave Halverson; Team Members

Dates of On Site Visit: April 25, 2012

Date of Report: May 1, 2012

All non-compliance must be corrected within 1 year of this report date. Date Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION / STATE PERFORMANCE PLAN COMPLIANCE INDICATOR

ARSD 24:05:27:08. Yearly review and revision of individual educational programs. Each school district shall initiate and conduct IEP team meetings to periodically review each child's individual educational program and, if appropriate, revise its provisions. An IEP team meeting must be held for this purpose annually.

Corrective Action:

Prong 1: Correct each individual case of noncompliance

One student did not have an annual IEP in place.

Student:	Required Action:	Data To Be Submitted:
Student File 1: This student who had previously been served at a different out-of-district facility transitioned to Black Hills Workshop and Training Center in July 2010. At that time the student had a current IEP in place. But there was no evidence in the file that an annual review of the IEP was conducted in July 2011. According to BHWS's Special Education Comprehensive Plan the responsibility of the annual review process falls onto the placing school district.	The placing school district will need to conduct an IEP meeting to develop an IEP to meet the student's educational needs.	The placing school district will submit the following: 1) Prior Notice for the meeting 2) IEP

Timeline for Completion: The above required material must be submitted by June 30, 2012.

<p>Prong 2: Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of <u>updated data</u>.</p> <p>Black Hills Workshop and Training Center will ensure IDEA requirements are met</p>	
<ol style="list-style-type: none"> 1) The School District must review its 2011 CC to determine if the district has any other students placed at an out-of-district facility and determine if those out-of-district students have an active IEP in place. 2) BHWS must review and revise their intake process to ensure it has all the required current educational documents upon which time a student is being admitted. The intake process should also include a method by which the agency informs the school district of how the agency and school will ensure IDEA requirements are met. 3) BHWS must also develop a system by which the agency works cooperatively with the school to ensure IDEA requirements are met. 	<p>The school district must submit the following:</p> <ol style="list-style-type: none"> 1) 2011 child count 2) A copy IEP's for all students placed at an out-of district facility <p>BHWS must submit:</p> <ol style="list-style-type: none"> 1) Revised intake process 2) A written explanation of how the agency will work cooperatively with the school district to ensure IDEA requirements are met.
<p>All non-compliance must be corrected within 1 year of this report date.</p>	
<p>Date:</p> <p>Status Report:</p>	